



January 4, 2022

VIA:ECF

Hon. Eric R. Komitee
United States District Judge
United States District Court
225 Cadman Plaza East
Brooklyn, NY 11201

RE: Calderon et al v. Royal Elite Palace Caterers LLC et al
Case No. 1:21-cv-06367-EK-MMH

Dear Hon. Komitee,

This office is general counsel to and represents Defendants 6902 Garfield IZ, LLC (“IZ”), Royal Elite Palace Caterers, LLC, Elite Palace, LLC (collectively “Elite”), and Aba Cohen (“Cohen”) in this action. Please allow this letter to serve as the aforementioned Defendants’ request for an extension of time to answer Plaintiff’s complaint to February 14, 2022.

Pursuant to Your Honor’s Individual Practice Rules, the basis for our request is outlined below:

A. The Reason For The Request

The reason for the request is to provide the aforementioned Defendants additional time to answer the complaint. Presently, the Defendants have not informed counsel that they were served, notwithstanding Plaintiff’s recently filed affidavits of service.

Prior to the filing of the affidavits of service, Plaintiff’s counsel and the undersigned discussed potentially releasing IZ from the action because it has no connection to the Plaintiff. Counsel likewise discussed an extension of time for the remaining defendants to answer. The undersigned was not aware of when service was allegedly effectuated until the affidavits of service were filed.

B. Previous Requests

No previous requests have been made to this Court.



C. Adversary Consent

Plaintiff's Counsel, Jillian Weiss, Esq., consents to this extension. It is our understanding that Counsel Weiss is Plaintiff's lead counsel.

D. Effect on Scheduled Dates

This extension will not have an effect on any scheduling orders as none have been entered. This action is still in its infancy.

Thank you for your time and attention. If you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

/s/ Eduard Kushmakov
Eduard Kushmakov, Esq.
Jacobs PC

CC: All parties via ECF

450 Lexington Avenue, 4th Floor, New York, NY 10017

O: (718) 772-8704 F: (718) 228-2576